## Exhibit 9

Privileged & Confidential Attorney Work Product Draft



## FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO

## February 12, 2021

## **RESOLUTION RELATING TO HB 120**

WHEREAS, on June 30, 2016, the federal Puerto Rico Oversight, Management, and Economic Stability Act ("PROMESA") was enacted;

WHEREAS, section 101 of PROMESA created the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board");

WHEREAS, the Legislature for the Commonwealth of Puerto Rico (the "Legislature") is in the process of enacting into law HB 120;

WHEREAS, HB 120 purports to, among other things, specify the terms of a Commonwealth plan of adjustment under PROMESA and, without Oversight Board approval, modify the Commonwealth's debt by reinstating frozen pension plans to restore and preserve benefits that will significantly increase pension obligations above the amounts contemplated in the currently certified Fiscal Plan for the Commonwealth (the "Fiscal Plan");

WHEREAS, on January 29, 2021, the Oversight Board sent a letter to the Legislature and the Governor of Puerto Rico (the "Governor") highlighting these concerns and advising HB 120 is inconsistent with the Fiscal Plan and PROMESA and thus cannot be enacted or implemented;

WHEREAS, on February 3, 2021, the Puerto Rico Fiscal Agency and Financial Advisory Authority ("AAFAF," together with the Governor, the "Government") advised the Legislature against enacting HB 120 because it would infringe on the Oversight Board's authority under PROMESA over plans of adjustment and would eliminate pension measures in the Fiscal Plan;

WHEREAS, the Legislature is proceeding with enacting HB 120 despite the concerns of the Oversight Board and the Government;

WHEREAS, following consultation with the Oversight Board's legal and financial advisors, and extensive internal deliberation, the Oversight Board has determined it is necessary and appropriate to take such actions as it considers necessary, consistent with its powers under PROMESA, to prevent further harm to Puerto Rico's financial future;

WHEREAS, the Oversight Board has determined that, if enacted and implemented, HB 120 will impair and defeat the purposes of PROMESA by, among other things, attempting to interfere with the Oversight Board's exclusive authority under PROMESA to formulate, propose, and prosecute plans of adjustment on behalf of Title III debtors and by eliminating all pension measures contemplated by the Fiscal Plan by reinstating and maintaining failed pension structures in effect as of the commencement of the Commonwealth's Title III case.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Oversight Board:

- 1. Directs the Legislature not to enact HB 120;
- 2. Directs the Legislature and the Government not to implement any law based on HB 120; and
- 3. Approves taking legal action, if necessary, against the Legislature and/or Government, pursuant to its authority under PROMESA sections 104(k), 108(a)(2), 201, 202, and 207, to enjoin the enactment and implementation of HB 120 and if necessary have it declared a nullity, should the Legislature and Government refuse the Oversight Board's request to stop enacting and implementing the law.

Agreed and authorized as of the date first set forth above.